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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,937	01/29/2002	Yutaka Iyoki	P21953	3791

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EXAMINER	
SERRAO, RANODHI N	

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/057,937	IYOKI, YUTAKA	
	Examiner	Art Unit	
	Ranodhi Serrao	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 December 2005 has been entered.

Response to Arguments

2. Applicant's arguments filed 22 December 2005 have been fully considered but they are not persuasive.

3. The applicant argued in substance the newly added limitations of claims 15-21 and the newly added claim 22. However, the cited references teach these limitations. See rejections below.

4. The applicant furthermore argued that Tomat fails to teach the invention of claim 15 which receives scanned image data and determines how to open the scanned image data after it is received. As pointed out by the examiner below in col. 8, lines 10-19, Tomat states that if the transport protocol is DCOM then a specific remote application program is opened for the particular image file. Therefore any other program cannot open the file. The transport address specifies which program can open the scanned

image. Therefore there is a determination as to how to open the scanned image data after it is received.

5. Moreover, the applicant argued that the computer system in Tomat includes the scanner. However, as pointed out in col. 6, line 52-col. 7, line 5, there are multiple computers on the network connected to the scanner thru a network interface. Therefore, the functionality of the scanner can be to any of the computers on the network since they can all receive data from the scanner.

6. The applicant also argued that Tomat does not teach that the computer system 2 (58, 60 and 63) stores a plurality of information indicating a plurality of file types and a plurality of application programs associated with the plurality of the file types, each of the plurality of the application programs being utilized for opening a document file associated with each of the plurality of the file types. The examiner points col. 5, lines 53-62, wherein Tomat states, "Computer systems 58, 60 and 63 preferably execute similar operating systems and programs, namely operating systems 70 to 72 and file transport programs 74 to 76." Therefore Tomat teaches the invention as claimed.

7. The applicant furthermore argued that Tomat fails to teach that the associated application program is determined and started for opening the received document file, at the remote side. The examiner points col. 14, lines 13-34, wherein Tomat describes selecting the application program among multiple application programs associated with the data that was sent from the scanner.

8. The applicant also argued that there is no motivation to combine Tomat and Shima. However, the motivation to combine these references are within the references as pointed out in the rejections.

9. The examiner points out that the pending claims must be "given the broadest reasonable interpretation consistent with the specification" [In re Prater, 162 USPQ 541 (CCPA 1969)] and "consistent with the interpretation that those skilled in the art would reach" [In re Cortright, 49 USPQ2d 1464 (Fed. Cir. 1999)]. In conclusion, upon taking the broadest reasonable interpretation of the claims, the cited references teach the invention as claimed. See rejections below.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 15, 20, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Tomat (6,459,499).

12. As per claims 15, 20, and 21, Tomat teaches a terminal apparatus, comprising: an interface configured to be connected to a scanner apparatus via a network (col. 6, line 52-col. 7, line 5); a memory configured to store a plurality of information indicating a

plurality of file types (col. 10, lines 25-34) and a plurality of application programs associated with the plurality of the file types, each of the plurality of the application programs being configured to open a document file associated with at least one of the plurality of the file types (col. 14, lines 13-34); and a controller configured to: receive, from the scanner apparatus, a control file including a file name (col. 8, lines 20-28); receive, from the scanner apparatus, a document file, the document file including image data scanned by the scanner apparatus (col. 4, lines 6-10); analyze the file name included in the received control file to obtain the file type of the received document file (col. 14, lines 13-34); determine the application program associated with the obtained file type from the plurality of the application programs stored in the memory (col. 8, lines 10-19); and start the application program associated with the obtained file type to open the received document file (col. 11, lines 45-58).

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 16-19 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomat as applied to claim 15 above, and further in view of Shima (2002/0004802).

3. As per claim 16, Tomat teaches the mentioned limitations of claim 15 above but fails to teach a terminal apparatus, wherein the controller receives, from the scanner apparatus, the control file and the document file, according to a Lpr/Lpd protocol. However Shima teaches a terminal apparatus, wherein the controller receives, from the

scanner apparatus, the control file and the document file, according to a Lpr/Lpd protocol (see Shima, ¶ 167). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tomat to a terminal apparatus, wherein the controller receives, from the scanner apparatus, the control file and the document file, according to a Lpr/Lpd protocol in order to print a file using this specific protocol (see Shima, ¶ 167).

4. As per claim 17, Tomat teaches the mentioned limitations of claim 15 above but fails to teach a terminal apparatus, wherein the controller displays the image data included in the document file on a display of the terminal apparatus, in the form of thumbnail. However, Shima teaches a terminal apparatus, wherein the controller displays the image data included in the document file on a display of the terminal apparatus, in the form of thumbnail (see Shima, ¶ 169). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tomat to a terminal apparatus, wherein the controller displays the image data included in the document file on a display of the terminal apparatus, in the form of thumbnail in order to indicate a prediction result (prescan) before the formal image read is executed (see Shima, ¶ 130).

5. As per claim 18, Tomat teaches the mentioned limitations of claim 15 above but fails to teach a terminal apparatus, wherein the memory stores a plurality of display states associated with the, wherein the plurality of the information indicating the plurality of the file types, and the controller displays the image data included in the document file on a display of the terminal apparatus, based on the display state associated with the

obtained file type. However, Shima teaches a terminal apparatus, wherein the memory stores a plurality of display states associated with the, wherein the plurality of the information indicating the plurality of the file types, and the controller displays the image data included in the document file on a display of the terminal apparatus, based on the display state associated with the obtained file type (see Shima, ¶ 130-131). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tomat to a terminal apparatus, wherein the memory stores a plurality of display states associated with the, wherein the plurality of the information indicating the plurality of the file types, and the controller displays the image data included in the document file on a display of the terminal apparatus, based on the display state associated with the obtained file type in order to give an operation instruction to another image information input-output unit (see Shima, ¶ 134).

6. As per claim 19, Tomat and Shima teach the mentioned limitations of claim 15 above but Tomat fails to teach a terminal apparatus, wherein the display state comprises displaying the image data in the form of a thumbnail. However, Shima teaches a terminal apparatus, wherein the display state comprises displaying the image data in the form of a thumbnail (see Shima, ¶ 169). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tomat to a terminal apparatus, wherein the display state comprises displaying the image data in the form of a thumbnail in order to indicate a prediction result (prescan) before the formal image read is executed (see Shima, ¶ 130).

7. As per claim 22, Tomat teaches the mentioned limitations of claim 15 above but fails to teach a terminal apparatus, wherein the interface is configured to be connectable to each of a plurality of scanner apparatuses via a network, and the controller is configured to receive, from one of the plurality of the scanner apparatuses, a control file including a file name and to receive, from the one of the plurality of the scanner apparatuses, a document file, the document file including image data scanned by the scanner apparatus. However, Shima teaches a terminal apparatus, wherein the interface is configured to be connectable to each of a plurality of scanner apparatuses via a network (see Shima, ¶ 24), and the controller is configured to receive, from one of the plurality of the scanner apparatuses, a control file including a file name and to receive, from the one of the plurality of the scanner apparatuses, a document file, the document file including image data scanned by the scanner apparatus (see Shima, ¶ 131). It would have been obvious to one having ordinary skill in the art at the time of the invention to modify Tomat to a terminal apparatus, wherein the interface is configured to be connectable to each of a plurality of scanner apparatuses via a network, and the controller is configured to receive, from one of the plurality of the scanner apparatuses, a control file including a file name and to receive, from the one of the plurality of the scanner apparatuses, a document file, the document file including image data scanned by the scanner apparatus in order to allow a user who uses retrieval information to specify control information and thus simply entering predetermined retrieval information registered in various units for performing various types of image information processing (see Shima, ¶ 24).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ranodhi Serrao whose telephone number is (571)272-7967. The examiner can normally be reached on 8:00-4:30pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571)272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).